

## **Title IR1. Committee and Task Force Organization and Structure**

### **Chapter 1 General Provisions and Organization**

#### **Part 1 General Provisions**

##### **IR1-1-101 Definitions.**

As used in this title:

- (1)
  - (a) "Interim committee" means a committee established in IR1-1-201 that is composed of members of the Senate and House, meeting jointly.
  - (b) "Interim committee" does not mean a standing committee as designated in SR3-2-201 and HR3-2-201.
- (2) "Special committee" means a legislative committee or task force that is not an interim committee.
- (3) "Subcommittee" means a subsidiary unit of an interim committee or special committee.

#### **Part 2 Organization**

##### **IR1-1-201 Interim committees established -- Membership -- Chairs -- Chair duties.**

- (1) The president of the Senate and the speaker of the House shall:
  - (a) appoint members from their respective chambers to serve on the following joint interim committees:
    - (i) Business and Labor Interim Committee;
    - (ii) Economic Development and Workforce Services Interim Committee;
    - (iii) Education Interim Committee;
    - (iv) Government Operations Interim Committee;
    - (v) Health and Human Services Interim Committee;
    - (vi) Judiciary Interim Committee;
    - (vii) Law Enforcement and Criminal Justice Interim Committee;
    - (viii) Natural Resources, Agriculture, and Environment Interim Committee;
    - (ix) Political Subdivisions Interim Committee;
    - (x) Public Utilities and Technology Interim Committee;
    - (xi) Retirement and Independent Entities Interim Committee;
    - (xii) Revenue and Taxation Interim Committee; and
    - (xiii) Transportation Interim Committee; and
  - (b) appoint one member from their chamber to serve as cochair of each interim committee.
- (2) The chairs of each interim committee, meeting jointly, shall:
  - (a) determine the agenda for committee meetings;
  - (b) assist and give direction to staff in the conduct of the committee's business; and
  - (c) perform other duties assigned by the committee.

**IR1-1-202 Interim committees -- Creation and organization of subcommittees.**

- (1) An interim committee may establish one or more subcommittees if:
  - (a) a majority of the interim committee votes to create the subcommittee;
  - (b) the compensation and expenses of the subcommittee members can be adequately covered within the budget of the interim committee; and
  - (c) the interim committee solicits and receives approval from the Legislative Management Committee to create the subcommittee.
- (2) The interim committee shall establish the powers and duties of the subcommittee.
- (3) The cochair of the interim committee shall:
  - (a) appoint at least four legislators to serve on the subcommittee from the membership of the interim committee that created the subcommittee; and
  - (b) appoint at least one additional legislator who is a member of the interim committee that created the subcommittee as chair of the subcommittee.

**IR1-1-203 Special committees -- Creation and organization of subcommittees.**

- (1) A special committee may not create a subcommittee unless:
  - (a) the legislation creating the special committee authorizes the creation of a subcommittee; and
  - (b) the compensation and expenses of the subcommittee members can be adequately covered from the budget of the special committee.
- (2) Notwithstanding Subsection (1), a special committee may create a subcommittee if:
  - (a) the legislation creating the special committee does not explicitly prohibit the creation of a subcommittee;
  - (b) the Legislative Management Committee approves creation of the subcommittee; and
  - (c) the compensation and expenses of the subcommittee members can be adequately covered from the budget of the special committee.

**Title IR2. Duties of Interim Committees**

**Chapter 1**

**Interim Committees -- General Responsibilities**

**IR2-1-101 Interim committees -- General duties.**

Each interim committee shall:

- (1) receive study assignments by resolution from the Legislature;
- (2) receive study assignments from the Legislative Management Committee;
- (3) investigate and study possibilities for improvement in government services within its subject area;
- (4) request and receive research reports from professional legislative staff pertaining to the committee's study agenda;
- (5) if useful, request, and if necessary, subpoena, testimony from government officials, private organizations, and members of the public on issues being studied by the committee;

- (6) make recommendations to the Legislature for legislative action; and
- (7) prepare and recommend legislation to the Legislature based upon the committee's studies.

## **Chapter 2**

### **Interim Committees -- Other Responsibilities**

#### **IR2-2-101 Interim committees -- Reviewing audit reports.**

When an interim committee or a special committee receives an audit report from the Audit Subcommittee of the Legislative Management Committee for its review, the committee shall:

- (1) review and consider whether or not the recommendations in the audit report should be implemented;
- (2) request legislation or recommend appropriations to the Executive Appropriations Committee, if appropriate; and
- (3) report its actions to the Audit Subcommittee.

#### **IR2-2-102 Interim committees -- Review of rules referred by Administrative Rules Review Committee.**

When an interim committee receives an administrative rule for review from the Administrative Rules Review Committee, the interim committee may review that rule and make recommendations to the Legislative Management Committee and the Administrative Rules Review Committee about whether or not the rule should be repealed.

#### **IR2-2-103 Interim committees -- Long-term planning emphasis.**

- (1) Each interim committee shall devote part of its May interim meeting to long-term planning for the areas over which the committee has jurisdiction.
- (2) As part of the meeting, the committee may:
  - (a) review economic and demographic trends and other applicable data;
  - (b) identify current, emerging, and future issues and challenges; and
  - (c) develop an action plan to address the issues and challenges identified.
- (3) The action plan under Subsection (2)(c) may include plans to:
  - (a) perform additional research into specific issues and challenges;
  - (b) develop options to address specific issues and challenges; and
  - (c) prepare legislation to address specific issues and challenges.
- (4) The cochairs of each interim committee are encouraged to seek information, ideas, and assistance from committee members, state agencies, local government, education, business, industry, and interest groups in preparing for the meeting, providing presentations for the meeting, and making assignments related to an action plan.

### **Title IR3. Requirements for and Conduct of Committee and Task Force Meetings**

## **Chapter 1**

### **Meetings**

#### **IR3-1-101 Interim committees -- Joint meetings -- Location of meetings -- Notice of meetings.**

- (1) The corresponding interim committees of each chamber shall meet jointly, unless otherwise determined by the chair of each interim committee.
- (2)
  - (a) Each interim committee shall meet at the time and in the room assigned by the Legislative Management Committee.
  - (b) An interim committee may meet at additional times or in other locations as determined by the chairs, if reasonable notice is issued as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (3) Each committee chair shall ensure that each interim committee meeting is open to the public, except as otherwise provided in Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (4) Each committee chair shall ensure that the time, location, and agenda of each interim committee meeting is posted in the places designated by the Legislative Management Committee.

#### **IR3-1-102 Rights of members to attend meetings -- Nonmembers of the committee or subcommittee may not vote.**

- (1) Any member of the Legislature may:
  - (a) attend any meeting of an interim committee or any of its subcommittees; and
  - (b) if recognized by the chair, present the member's views on any subject under consideration by the committee or subcommittee.
- (2) Notwithstanding Subsection (1), a legislator must be a member of the committee or subcommittee in order to:
  - (a) vote on any decision of the committee or subcommittee; or
  - (b) receive compensation for attending the meeting unless approval for receiving compensation is obtained from the Legislative Expenses Oversight Committee of the chamber in which the legislator is a member.

#### **IR3-1-103 Order and decorum -- Points of order.**

- (1)
  - (a) The chair shall preserve order and decorum in committee meetings and hearings.
  - (b) The chair may order the committee room cleared of any disorderly visitor.
- (2)
  - (a) The chair shall decide points of order, subject to an appeal to the committee by any member of the committee.
  - (b) A committee member wishing to appeal a decision of the chair shall make a motion appealing the decision of the chair.
  - (c) The committee shall decide the point of order by a majority vote of the committee members present.

### **IR3-1-104 Visitors.**

- (1) As used in this rule, "committee" means any interim committee, special committee, or subcommittee.
- (2)
  - (a) The chair shall ensure that visitors to a committee meeting or hearing sit in chairs designated for that purpose.
  - (b) The chair may not allow visitors to speak during a committee meeting unless:
    - (i) the chair specifically invites them to speak; or
    - (ii) the meeting has been designated a public hearing and the visitors agree to comply with any restrictions on time and order announced by the chair.
- (3)
  - (a) If the chair allows public comment or testimony on a bill or other matter before the committee, the chair may, or a majority of the committee may, require that any or all person's testimony be taken under oath.
  - (b) The oath shall be administered by the committee chair, cochair, or committee staff.
- (4) The chair shall:
  - (a) ensure that the number of visitors, members, and staff at a hearing or meeting does not exceed the number posted by the state fire marshal as the limit of occupancy for the room where the meeting is held; and
  - (b) announce when the limit is reached and prevent the entry of additional persons into the room.

### **IR3-1-105 Electronic meetings.**

- (1) As used in this rule:
  - (a) "Anchor location" means the physical location in the building and city where the committee would normally meet and from which the electronic meeting originates or from which the participants are connected.
  - (b) "Committee" means an interim committee, special committee, or subcommittee of the Legislature.
  - (c) "Electronic meeting" means a public meeting of a committee that is partially convened or conducted by means of a voice telephone or computer web or video conference.
  - (d) "Electronic notice" means electronic mail or fax.
  - (e) "Monitor" means to:
    - (i) hear live, by speaker, or by other equipment, all of the public statements of each member of the committee who is participating in a meeting; or
    - (ii) see and hear, by computer screen or other visual medium, all of the public statements of each member of the committee who is participating in a meeting.
  - (f) "Participate" means the ability to communicate with all of the members of a committee, either verbally or electronically, so that each member of the committee can hear or see the communication.
  - (g) "Public hearing" means a committee meeting at which comments from the public will be accepted.
  - (h) "Public statement" means a statement made in the ordinary course of business of the committee with the intent that all other members of the public body receive it.
  - (i) "Remote location" means a location other than the anchor location from which a committee member may participate in the meeting.
- (2) A committee chair may, by following the procedures and requirements of this section, convene and conduct an electronic meeting.

- (3)
- (a) A committee member who will be more than 50 miles away from the anchor location on the day and at the time of a scheduled meeting may request that the chair allow the member to participate from a remote location.
  - (b) If a committee member wishes to participate in a committee meeting from a remote location, the committee member shall, at least three days before the meeting, contact the committee chair and request that the chair convene and conduct an electronic meeting.
  - (c) After receiving the request, the chair shall:
    - (i) determine whether or not the committee member will be more than 50 miles away from the anchor location on the day and at the time of a scheduled meeting;
    - (ii) if the committee member will be more than 50 miles away from the anchor location on that day and time, consult with committee staff to determine whether or not there are sufficient equipment and connections to allow the committee member to participate from a remote location; and
    - (iii) obtain permission from the president of the Senate and the speaker of the House of Representatives to conduct an electronic meeting.
  - (d) If the president and speaker approve, and if sufficient equipment and connections exist, the chair may grant the committee member's request to participate from a remote location.
- (4) A chair convening or conducting an electronic meeting shall:
- (a) establish the anchor location for the public meeting in the building and city where the committee would normally meet if it were not holding an electronic meeting;
  - (b) provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting;
  - (c) if the meeting is a public hearing, or if the chair intends to allow public comment, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting; and
  - (d) if necessary, establish and communicate protocols and procedures governing the electronic meeting to ensure order and fair opportunities to participate by those committee members participating electronically at one or more remote locations and at the anchor location.
- (5) A chair convening or conducting an electronic meeting shall ensure that:
- (a) public notice of the meeting, as required by Utah Code Section 52-4-202, is given including posting written notice at the anchor location; and
  - (b) in addition to giving public notice required by Subsection (5)(a), notice of the electronic meeting given to committee members at least 24 hours before the meeting shall describe how the committee members will be connected to the electronic meeting.
- (6) A committee member participating from a remote location is included in calculating a quorum and may vote.

## **Chapter 2**

### **Quorum and Voting Requirements -- Minutes**

#### **Part 1**

#### **Quorum and Voting Requirements**

**IR3-2-101 Quorum requirements.**

- (1) For the purpose of determining a committee or subcommittee quorum, a majority is at least 50% in one house and more than 50% in the other.
- (2) If a member of the committee or subcommittee fails to attend two consecutive meetings of a committee or subcommittee in any calendar year, that legislator's membership in the committee or subcommittee is not counted for that calendar year in determining a quorum, except for meetings that the legislator actually attends.
- (3) Except for meetings that the legislator actually attends, legislators who are members of the Legislative Management Committee are not counted in determining a quorum.
- (4) Notwithstanding the requirements of Subsections (2) and (3), at least one senator must be present in order to have a committee or subcommittee quorum.

**IR3-2-102 Voting requirements.**

- (1) For the purpose of voting in a meeting, a majority is at least 50% in one house and more than 50% in the other.
- (2) After the committee votes, the chair shall:
  - (a) determine whether the motion passed or failed;
  - (b) verbally announce that the motion passed or that the motion failed; and
  - (c) verbally identify by name either the committee members who voted "yes" or the committee members who voted "no."

**Part 2  
Minutes**

**IR3-2-201 Minutes.**

- (1)
  - (a) Each interim committee and each subcommittee shall keep minutes of meetings as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
  - (b) Meetings of interim committees and subcommittees may be electronically recorded to assist in preparing accurate minutes of the meeting.
- (2) Upon approval of the minutes by the committee, the minutes are the official record of the proceedings of the committee and the electronic record, if any, may be destroyed unless the committee or subcommittee, by majority vote, directs that the electronic record be preserved.
- (3)
  - (a) Except as provided in Subsection (3)(b), each interim committee and each subcommittee shall ensure that the vote of each member on any question is recorded in the minutes of the meeting.
  - (b) Questions approved by unanimous vote or by a substantial majority of those present may be recorded as approved with only the names of those opposed and those absent listed in the minutes.

**Chapter 3**

## **Conduct of Meetings**

### **Part 1**

#### **Order of Business, Debate, and Voting**

##### **IR3-3-101 Order of business.**

Unless otherwise determined by the chair or by a majority vote of the interim committee, each committee or subcommittee shall substantially follow this order of business:

- (1) call of the committee to order by the chair;
- (2) approval of the minutes of any previous meeting;
- (3) announcement of the order of consideration of agenda items;
- (4) announcement of time restrictions, if any;
- (5) announcement of communications sent to the committee by the Legislative Management Committee or other entities; and
- (6) agenda business.

##### **IR3-3-102 Obtaining the floor in committee -- Remarks to be germane.**

- (1) The chair may recognize any committee member who wishes to speak to a matter of business before the committee.
- (2) Upon being recognized, the committee member shall confine his remarks to the subject under discussion.

##### **IR3-3-103 Members required to vote.**

Each committee member present at the committee meeting shall vote "yea" or "nay" on each question put to a vote by the chair.

### **Part 2**

#### **Public Hearings**

##### **IR3-3-201 Public hearings.**

- (1) An interim committee or subcommittee may hold public hearings in addition to or instead of regular committee meetings.
- (2) The chair, subject to the approval of the committee, may adopt procedures for the orderly conduct of the hearing, including limitation of the time available for the entire hearing and for all individual presenters, and the order in which those presenting shall address the committee.
- (3) The committee may, at any time, close the public hearing and begin a regular committee meeting.
- (4) Upon majority vote of the committee, any presenter's testimony may be taken under oath.

## **Chapter 4**



## **Parliamentary Rules Governing Interim Committees**

### **Part 1**

#### **Parliamentary Authority and General Parliamentary Requirements**

##### **IR3-4-101 Motions to be stated before debate -- Dividing a motion -- Withdrawing a motion.**

- (1) When a motion is made, it shall be stated by the chair before debate.
- (2) When a motion is stated by the chair, it is in the possession of the committee.
- (3)
  - (a) If a motion contains several points, a committee member may request that the motion be divided and that each part be voted upon separately.
  - (b) To be in order, the request to divide must clearly state how the question is to be divided.
  - (c) Except as provided in Subsections (3)(d) and (e), if the request is in order, the chair must divide the motion and take a separate vote on each part of the divided motion.
  - (d)
    - (i) Except as provided in Subsections (3)(d)(ii) and (iii), a motion to strike out and insert, or to delete and insert, is not subject to division.
    - (ii) If the committee rejects a motion to strike out and insert one proposition, a motion to strike out and insert a different proposition is in order.
    - (iii) If the committee rejects a motion to delete and insert one proposition, a motion to delete and insert a different proposition is in order.
  - (e)
    - (i) The presiding officer shall determine how many divisions may be made to any question.
    - (ii) The committee may seek to overrule this decision only once.
- (4)
  - (a) A motion may be withdrawn at any time by the sponsor before it is divided or amended.
  - (b) After a motion has been divided or amended, it may be withdrawn by the sponsor only if the withdrawal of the motion is approved by a majority of the committee members present.

##### **IR3-4-102 Motions in order during debate.**

While a question is being debated, the chair may not accept any other motion except a motion:

- (1) to fix the time at which to adjourn;
- (2) to adjourn;
- (3) to hold;
- (4) to postpone to a time certain;
- (5) to amend or substitute; or
- (6) to call for the previous question.

##### **IR3-4-103 Motions to be decided without debate.**

- (1) The chair may not allow debate on a motion to adjourn, a motion to recess, a motion to end debate, or an appeal of the decision of the chair on a point of order.
- (2) The chair shall decide, without allowing debate, each point of order raised after a motion to adjourn, a motion to recess, or a motion to end debate is made.

**IR3-4-104 Substitute motions.**

- (1) A substitute motion, or any part of the substitute motion, if adopted by a majority of the committee members present, disposes of the original motion.
- (2) The chair may not accept a substitute motion to a substitute motion.

**IR3-4-105 Which motions may be amended (Masons Sec. 396).**

Each original main motion may be amended, and all other motions may be amended, except the following motions:

- (1) to adjourn;
- (2) to appeal the decision of the chair;
- (3) to raise a point of order;
- (4) to divide another motion;
- (5) to table;
- (6) to remove from the table;
- (7) to call the previous question;
- (8) to amend an amendment;
- (9) to move to the next item on the agenda;
- (10) to call for division; or
- (11) to reconsider.

## **Part 2 General Rules Governing Motions**

**IR3-4-201 Motion to adjourn.**

A motion to adjourn is in order except:

- (1) when the committee is in the process of voting;
- (2) when a previous motion to adjourn has been defeated and there has been no intervening business; or
- (3) when another member of the committee has the floor.

**IR3-4-202 Motion to end debate.**

A motion to end debate passes only if it is approved by a two-thirds vote of the committee members present.

## **Part 3 Rules Governing Specific Motions**